



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : R. Fischer et al.
Serial No. : 10/559,703
Filed : December 07, 2005
For : N-Heterocyclylphenyl substituted cyclic ketoenols
Group Art Unit : 1616
Examiner : SULLIVAN, DANIELLE

DECLARATION

Dr. Heinz Kehne hereby declares:

- that he is a chemist having studied at the University of Göttingen, Germany;
- that he received his doctor's degree in chemistry at the University of Göttingen, Germany in 1981;
- that he entered the employ of Bayer Cropscience (or the predecessor companies Hoechst, Agrevo, Aventis resp.) in 1982;
- that he has specialized in plant protection biology since 2002;

Post-emergence Test

- 5 Solvent: 5 parts by weight of acetone
 Emulsifier: 1 part by weight of alkylaryl polyglycol ether

10 To produce a suitable preparation of active compound, 1 part by weight of active compound is mixed with the stated amount of solvent, the stated amount of emulsifier is added and the concentrate is diluted with water to the desired concentration.

15 Test plants which have a height of 5 - 15 cm are sprayed with the preparation of active compound in such a way as to apply the particular amounts of active compound desired per unit area. The concentration of the spray liquor is chosen so that the particular amounts of active compound desired are applied in 1000 l of water/ha

20 After three weeks, the degree of damage to the plants is rated in % damage in comparison to the development of the untreated control

The figures denote:

- 25 0% = no effect (like untreated control)
 100% = total destruction

5 Pre-emergence-Test

Solvent: 5 parts by weight of acetone

Emulsifier: 1 part by weight of alkylaryl polyglycol ether

10 To produce a suitable preparation of active compound, 1 part by weight of active compound is mixed with the stated amount of solvent, the stated amount of emulsifier is added and the concentrate is diluted with water to the desired concentration.

15 Seeds of the test plants are sown in normal soil. After about 24 hours, the soil is sprayed with the preparation of active compound in such a way as to apply the particular amounts of active compound desired per unit area. The concentration of the spray liquor is chosen so that the particular amounts of active compound desired are applied in 1000 l of water/ha.

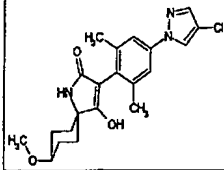
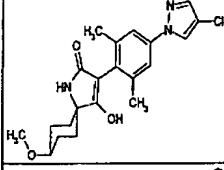
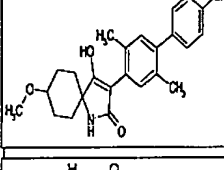
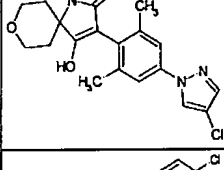
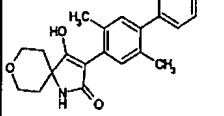
20 After three weeks, the degree of damage to the plants is rated in % damage in comparison with the development of the untreated control.

The figures denote:

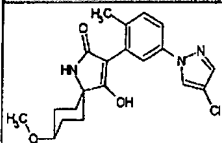
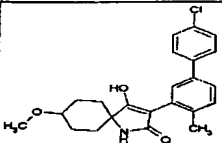
25

0% = no effect (like untreated control)

100% = total destruction

Structure	Substance	Test type	Dosage	Unit					
	I-1-a-2	PO	320 g/ha	100	100	100	80		BCS03-3014
	I-1-a-2	PO	80 g/ha	100		100			BCS03-3014
	I-1-a-10	PO	250 g/ha	0	0	0	0		US6 451,843
		PO	80 g/ha			90			BCS03-3014
	I-1-a-8	PO	250 g/ha			0			US6 451 843

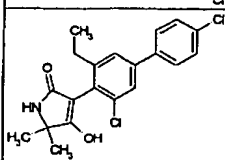
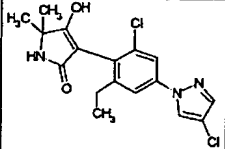
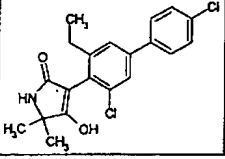
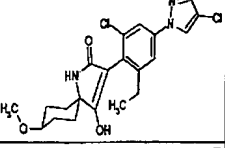
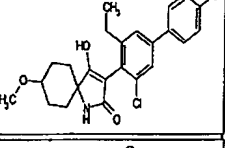
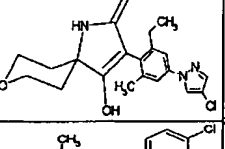
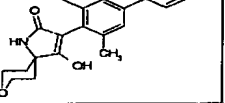
WO01/17973

Structure	Substance	Test type	Dosage	Unit
	I-1-a-1	PO	320 g/ha	100
	I-1-a-16	PO	250 g/ha	95

BCS03-3014

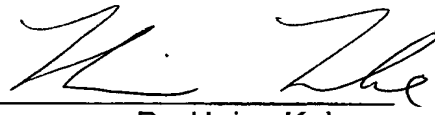
US6,458,965

Structure	Substance	Test type	Dosage	Unit				
	I-1-a-2	PO	320	g/ha	100			100
BCS03-3014								
	I-1-a-2	PO	80	g/ha	100			100
BCS03-3014								
	I-1-a-2	PO	250	g/ha	90			100
US6 417 370								
	I-1-a-2	PE	320	g/ha		90		100
BCS03-3014								
	I-1-a-2	PE	80	g/ha		60		90
BCS03-3014								
	I-1-a-2	PE	250	g/ha		20		90
US6 417 370								
	I-1-a-4	PE	320	g/ha	90	40		90
BCS03-3014								
	I-1-a-4	PE	80	g/ha	90	20		60
BCS03-3014								
	I-1-a-12	PE	250	g/ha	90	0		80
US6 417 370								
	I-1-a-11	PO	80	g/ha				100
BCS03-3014								

	I-1-a-39	PO	250 g/ha				95	US6 417,370
	I-1-a-11	PE	80 g/ha				100	BCS03-3014
	I-1-a-39	PE	250 g/ha				100	US6 417 370
	I-1-a-12	PO	80 g/ha	100			100	BCS03-3014
	I-1-a-9	PO	250 g/ha	80			100	US6 417 370
	I-1-a-13	PO	80 g/ha				100	BCS03-3014
		PO	250 g/ha				100	US6 417 370

The undersigned declarant hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2008-11-19
Date


Dr. Heinz Kehne